

## **Chapter 220 O Oil Production Overlay District**

(3334, 3709-6/05)

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### **220.02 Oil Production Overlay Districts Established**

The Oil Production Overlay District and a subdistrict are established by this chapter as follows:

- A. The O District provides areas to accommodate only oil operations with no drilling.
- B. An O1 subdistrict designation provides areas where oil drilling is allowed, subject to a conditional use permit.

### **220.04 Zoning Map Designator and Applicability**

The zoning map shall show all property affected by adding an "-O" or "-O1" to the base district designator. The provisions in this chapter shall apply in addition to the requirements of any district with which the O or O1 District is combined. Where conflicts arise, the provisions of this chapter shall govern.

### **220.06 Area Requirements**

O District: The minimum area required to establish an O District is 1,500 square feet, with a minimum width of 25 feet and a minimum length of 60 feet.

O1 District: The minimum area required to establish an O1 District is 15,000 square feet, with a minimum width of 100 feet and a minimum length of 150 feet.

## **220.08 Reuse Plan Required**

No land division or development shall occur on land subject to an O or O1 Overlay District unless it is in accord with a plan for the disposition or treatment of any existing or proposed oil wells or oil operations within the district that has been approved in writing by the oil operator or lessee and approved by the Director, Zoning Administrator or Planning Commission in accord with Section 220.10.

The subdivider or developer shall send the plan by certified mail to the oil operator or lessee for review, comment and approval. Upon receipt of the oil operator's or lessee's approval and/or comments, the subdivider or developer shall submit the plan and the approval and/or comments to the Director and Fire Chief.

- A. If the oil operator or lessee has approved the plan, the Fire Chief may recommend the Director approve the plan upon finding it conforms to all applicable provisions of the Municipal Code.
- B. If the oil operator or lessee does not approve the plan, and if the Director and Fire Chief find the plan in compliance with the Municipal Code, then the plan and any comments of the oil operator or lessee shall be transmitted to the Director. The Director shall forward the plan and comments to the Zoning Administrator or Planning Commission for review in conjunction with the entitlement proceedings, if required. The oil operator or lessee shall be notified by certified mail at least seven days prior to the review.

Failure to submit and obtain approval of a reuse plan shall be grounds for disapproval of the proposed subdivision, division of land or development.

## **220.10 Criteria for Approval of a Reuse Plan**

The Director, Zoning Administrator or Planning Commission may approve the plan only upon finding that:

- A. Open space has been reserved around the oil operation site to allow for all existing and future equipment which could reasonably be expected to be used on the site, including any setbacks from new development required by the Fire Chief;
- B. Access from a public street or alley to all operation sites is provided for portable equipment and emergency vehicles;
- C. Expansion of the existing facilities, if permitted in the O District, can be accomplished;
- D. Any proposed development includes all provisions for soundproofing and fire protection required by the Fire Chief; and
- E. Screening of oil facilities from any new development are included in the reuse plan.
- F. If located in the coastal zone, the reuse plan is consistent with the certified Local Coastal Program. (3334)

## **220.12 Site Compliance**

No subdivision or development shall occur on property designated O or O1 unless said property is in compliance with Title 15, the Uniform Fire Code, and any other applicable Federal, State, County or local rules or regulations, and approved by the Fire Chief. Site compliance includes, but is not limited to oil well abandonment and contaminated soil remediation.

## **220.14 Land Use Controls and Development Standards**

The land use controls and development standards applicable in an O or O1 District shall be as prescribed by the base zoning district within which it is combined, unless modified by another overlay district and by the following restrictions.

- A. O District: Any oil operation except drilling is allowed, subject to approval by the Fire Chief.
- B. O1 District: Drilling and any oil operation are allowed, subject to approval of a conditional use permit by the Planning Commission.

## **220.16 Portable Equipment Required**

No person or persons shall use or cause to be used any equipment in an O District for drilling, redrilling, rework, well servicing or repair except portable equipment or such other equipment as may be approved by the Fire Department. No person or persons using such equipment or causing such equipment to be so used, shall maintain or store said equipment in an O District upon completion of the work for which such equipment was used.

## **220.18 Application for Designation**

Any person requesting that an O District be established on a property shall submit the following information to the Director:

- A. Complete legal description of the property.
- B. Plot plan showing the location of all existing and proposed oil facilities including, but not limited to, wells, tanks, dikes, pipelines, heaters, and storage sheds. The plan shall also show the location of accessways from any well to a public street or alley.
- C. The location of the nearest public road, street, or alley, and occupied residence or commercial structure and places of public assembly within 500 feet of each well.

## **220.20 O1 District - Dedication Requirements**

Prior to issuance of a drilling permit for a new well located on any O1 parcel abutting a public street, alley or highway, all real property shall be dedicated or an irrevocable offer of dedication made of such real property which the City requires for streets and alleys, including access rights and abutters' rights, drainage, public utility easements, and other public easements. In addition, all streets and alleys shall be improved, or an agreement entered into for such improvements, including curbs, gutters, sidewalks, paving, street trees, street lights, and street drainage in full compliance with the City's standards.

## **220.22 Waiver or Reduction of Dedication Requirements**

An oil operator may apply for a waiver or reduction of dedication and improvement requirements when applying for a conditional use permit for drilling, and any such waiver or reduction, when granted, shall apply only to the well or wells specified in the application.

## **220.24 Criteria for Modification or Reduction of Dedication Requirements**

The Director shall approve, conditionally approve, or deny upon consent of Fire Chief and Director of Public Works the request for a waiver or reduction of dedication requirements after considering the following factors: (3709-6/05)

- A. Estimated period of time that the proposed new well(s) and related facilities will be in operation;
- B. Degree of intensity of development of surrounding area;
- C. Effect of the proposed well on vehicular traffic in the vicinity of the site; and
- D. Extent of the proposed oil well operation.